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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/777,129

02/13/2004

Sikun Lan

CITI0286-US

3809

75127

7590

08/11/2009

KING & SPALDING LLP (CITI CUSTOMER NUMBER)

ATTN: GEORGE T. MARCOU

1700 PENNSYLVANIA AVENUE, NW

SUITE 200

WASHINGTON, DC 20006

EXAMINER

CERVETTI, DAVID GARCIA

ART UNIT

PAPER NUMBER

2436

MAIL DATE

DELIVERY MODE

08/11/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/777,129	<b>Applicant(s)</b> LAN ET AL.	
	<b>Examiner</b> David García Cervetti	<b>Art Unit</b> 2436	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Applicant's amendment filed 5/1/2009 has been fully considered.
2. Claims 1-19 are pending and have been examined. Claims 20-40 have been canceled.

### ***Response to Amendment***

3. Regarding Applicant's arguments against the prior art, Examiner respectfully submits that Vincent in fact teaches "wherein the first submission is directed to a second party and includes an identifier associated with the first submission", as follows, the first submission is the request for bids (fig.5), and is directed to a second party (publisher-subscriber environment), and has an identifier associated with it (GUIDs). Furthermore, the second party, seller, replies (response) to the request with specifications (fig.6) wherein the notification provides information for securely accessing the response (it contains a digital signature). **Applicant's arguments are not persuasive.**

### ***Information Disclosure Statement***

4. **It is noted that no information disclosure statement has been filed on this application to date.**

### ***Claim Rejections - 35 USC § 102***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
6. **Claims 1-2, 6-7, and 9-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Vincent (US 2002/0165815).**

**Regarding claim 1,** Vincent teaches

a method for providing a secure response to a first party (abstract), comprising the steps of:

receiving a first submission from the first party over a communications network, wherein the first submission is directed to a second party and includes an identifier associated with the first submission, and wherein the first party is not authenticated or registered with the second party (par.35-36, purchaser post statement of interest to online marketplace, directed to sellers);

receiving a response to the first submission from the second party; storing the response for later retrieval by the first party or the second party (par.36-37, seller responds by providing information);

sending a notification to the first party, wherein the notification provides information for securely accessing the response (par.71, requests are assigned an id);

receiving a second submission from the first party wherein the second submission comprises information for correlation to the identifier provided in the first submission (par.37-38, purchaser issues formal request for bid);

authenticating the first party (par.71, using unique id); and

permitting the first party to securely access the response from the second party (par.36-37, 71, purchaser receives information based on unique id).

**Regarding claim 2**, Vincent teaches wherein the communications network is the Internet (par.35).

**Regarding claim 6**, Vincent teaches wherein the first party is a user at a client system (par.34-37).

**Regarding claim 7**, Vincent teaches wherein the user is a prospect (par.34-37).

**Regarding claim 9**, Vincent teaches wherein the submission from the first party is forms-based (par.34-37).

**Regarding claim 10**, Vincent teaches wherein the submission from the first party contains private information about the first party (par.34-37).

**Regarding claim 11**, Vincent teaches wherein the submission from the first party is received through a secure system (par.34-37).

**Regarding claim 12**, Vincent teaches wherein the second party includes a customer service representative (par.34-37).

**Regarding claim 13**, Vincent teaches wherein the response to the submission contains private information about the first party (par.34-37).

**Regarding claim 14**, Vincent teaches wherein the notification is an unsecured email notification (par.34-37).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**8. Claims 3-5, 8, and 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vincent.**

**Regarding claims 3-5**, Vincent does not expressly disclose wherein the identifier is a password / username/ or email address, however Examiner takes Official Notice

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that the use of these as identifiers and for access control was conventional and well known. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use them with the system of Vincent since Examiner takes Official Notice that it was conventional and well known.

**Regarding claim 8**, Vincent does not expressly disclose wherein the first party pre-registered with the second party prior to the submission by the first party, however, Examiner takes Official Notice that registering a first party with a second party prior to a first party posting information to the second party was conventional and well known. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to let users of the system of Vincent to pre-register since Examiner takes Official Notice that it was conventional and well known.

**Regarding claims 15-19**, Vincent does not expressly disclose the claimed features, however Examiner takes Official Notice that keeping track of bounced notifications (i.e. emails sent to a user of a system), links to authentication pages, and access control features (recording the attempts to access the response, preventing access to the response after a predetermined time period, and preventing access to the response after a predetermined number of failed attempts) were conventional and well known. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine such features with the system of Vincent to pre-register since Examiner takes Official Notice that it was conventional and well known.

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID CERVETTI whose telephone number is (571)272-5861. The examiner can normally be reached on Monday-Tuesday and Thursday-Friday.
10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on (571)272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David García Cervetti/  
Primary Examiner, Art Unit 2436